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UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Srilakshmi K. Kumar

Art Unit: 2675

OFFICIAL

In re:

Applicant: Jan Peter Janssen

Serial No.: 09/936,548

Filed: January 17, 2002

A M E N D M E N T

December 31, 2003

Hon. Commissioner of
Patents and Trademarks
Washington, D.C. 20231

Sir:

This communication is responsive to the Office Action of
October 1, 2003.

In the Office Action the Examiner rejected the claims under 35 U.S.C. 103(a) over the patent to Scott in view of the patent to Iwai.

The present invention as defined in claim 1 deals with a device for information input and/or output with a processor, a display with a touch-sensitive layer, operator control elements and information fields, and the device is connected to a communications network by a communications module connected in turn to the processor, wherein in accordance with the present invention the device is embodied so that it fits into a frame suitable for both a recessed and a surface-mounted circuit.

Turning now to the references and in particular to the patent to Scott, it can be seen that this reference discloses an access control unit interface. This device for information input and/or output contains some features which are similar to the known features of the applicant's invention. As admitted by the Examiner, this reference however does not disclose that the device is embodied such that it fits into a frame that is suitable for a surface-mounted socket.

Therefore, it is believed to be clear that the patent to Scott taken singly does not teach the new features of the present invention and these features can not be derived from it as a matter of obviousness.

As for the patent to Iwai, it is respectfully submitted that this patent can not be considered as a valid reference. The patent to Iwai is issued on a U.S. patent application filed on March 7, 2001, which claims a priority from two Japanese patent applications both filed on March 10, 2000. The present application was filed in the United States on January 17, 2002, and it is based on a PCT application, which in turn is based on a German priority application with the filing date of January 14, 2000. Thus, the priority of the present application is earlier than the priority of the patent application on which the patent to Iwai is based. It is respectfully submitted that the rejection based on the patent to Iwai should be withdrawn.

As for the patent to Scott taken singly, it does not teach the new features of the present invention as admitted by the Examiner, and these features can not be derived from it as a matter of obviousness.

It is therefore respectfully submitted that claim 1, the broadest claim on file, should be considered as patentably distinguishing over the art and should be allowed.

As for the dependent claims, these claims depend on claim 1, they share its presumably allowable features, and therefore it is respectfully submitted that they should be allowed as well.

Reconsideration and allowance of the present application is most respectfully requested.

Should the Examiner require or consider it advisable that the specification, claims and/or drawings be further amended or corrected in formal respects in order to place this case in condition for final allowance, then it is respectfully requested that such amendments or corrections be carried out by Examiner's Amendment, and the case be passed to issue. Alternatively, should the Examiner feel that a personal discussion might be helpful in advancing this case to allowance, he is invited to telephone the undersigned (at 631-549-4700).

Respectfully submitted,



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